

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**Grady Clifford Smith,**

**Plaintiff,**

**vs.**

**Civil Action No.:**

**Hyundai Motor Manufacturing  
Alabama, LLC,**

**2:06-cv-745-WKW-CSC**

**Defendant.**

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**JOINT MOTION FOR ENTRY OF  
QUALIFIED HIPAA PROTECTIVE ORDER**

The parties jointly move the Court for entry of a Qualified HIPAA Protective Order. The proposed Order is attached as Exhibit "A" and is necessary due to the discovery which is anticipated in this case alleging claims under the Americans With Disabilities Act, and thus is related to the Plaintiff's medical condition.

Respectfully Submitted on this 5<sup>th</sup> day of October, 2006.

THIS WILL CERTIFY THAT ALL PARTIES HAVE AGREED TO THE ABOVE AND HAVE AGREED THAT:

Sandra B. Reiss will e-file the foregoing Joint Motion and Proposed Order. Specifically, the above is agreed to by:

FOR PLAINTIFF

**/s/Cynthia Wilkinson(with permission)**

**Cynthia Forman Wilkinson**  
**Wilkinson Law Firm, PC**  
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FOR DEFENDANT

**/s/Sandra B. Reiss**

**J. Trent Scofield (ASB-1191-e67j)**  
**Sandra B. Reiss (ASB-3650-s80s)**  
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**/s/Scott Harwell (with permission)**

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**QUALIFIED HIPAA PROTECTIVE ORDER**

The parties are hereby granted the right, upon compliance with the applicable discovery provisions of the Federal Rules of Civil Procedure and the orders of this court, to obtain from any health care provider, health plan, or other entity covered by the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936 (1996) ("HIPAA"), any and all information relating to the past, present, or future medical condition of any individual who is a party to this action (or the decedent or ward of a party who sues in a representative capacity), as well as any and all information relating to the provision of health care to such individual and payment for the provision of such health care.

This order authorizes any third-party who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose the Protected Health Information in response to such request or subpoena. This order is intended to authorize such disclosures under the privacy regulations issued pursuant to HIPAA. 45 C.F.R. Section 164.512(e)(1)(I).

The parties are expressly prohibited from using or disclosing the protected health information obtained pursuant to this order for any purpose other than this action. Further, the parties are ordered to either return to the covered entity from whom or which such protected health information was obtained, or to destroy the protected health information (including all copies made), immediately upon conclusion of this action. See 45 C.F.R. Sections 163.502(b); 164.512(e)(1)(v).

DONE and ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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United States District Judge